Appl. No. : **09/669,869**
Filed : **September 21, 2000**

IN THE CLAIMS:

Please amend the claims to read as follows relative to issued U.S. Patent No. 5,810,369:

1. (Currently Amended) An integrally formed roller skate chassis adapted for attachment of a plurality of skate wheels, said chassis comprising:

a heel attachment member and a forefoot attachment member for attaching said chassis to a skating boot; and

a pair of laterally spaced first and second longitudinal members, said longitudinal members having generally planar upper portions with upper edges integrally attached to said heel and forefoot attachment members and lower portions for accommodating attachment of a wheel set, one of said upper portions of the first longitudinal member being substantially coplanar with a respective lower portion, **[the other]** one of said upper portions of the second longitudinal member being inclined toward the coplanar one of said upper portions in an upwardly extending direction, said lower portions **[in an upwardly extending direction]** being substantially parallel to each other, and one or more connecting webs extending between said longitudinal members and integrally attached to said longitudinal members where said upper and lower portions intersect;

wherein said chassis has enhanced structural integrity for a given weight of material.

2. (Original) The chassis of Claim 1, wherein said lower portions have one or more horizontally elongated openings formed therein to reduce weight and excess material.

3. (Original) The chassis of Claim 1, wherein said lower portions have one or more ribs formed thereon.

4. (Original) The chassis of Claim 1, wherein said connecting webs have one or more chamfered edges adjacent to said skate wheels so as to accommodate closer spacing between said skate wheels.

5. (Currently Amended) An integrally formed roller skate **[stake]**chassis, adapted for attachment of a plurality of skate wheels, said chassis comprising:

a heel attachment member and a forefoot attachment member for attaching said chassis to a skating boot; and

a pair of laterally spaced longitudinal members having upper edges integrally attached to said heel and forefoot members, said longitudinal members having upper and lower generally planar portions separated by one or more web members extending between said longitudinal members and attached thereto, said upper portions forming substantially convergent planes in an upwardly extending direction above said one or more web members[member], said lower portions forming substantially parallel planes below said one or more web members, such that said chassis forms substantially an A-frame when viewed in cross section;

wherein said chassis has enhanced structural integrity and more efficient transfer of power from a skater to said skate wheels during use.

6. (Original) The chassis of Claim 5, wherein said one or more web members are spaced to form a plurality of openings for accommodating said wheels.

7. (Original) The chassis of Claim 5, wherein said chassis has an extruded unibody construction.

8. (Original) The chassis of Claim 7, wherein said chassis is formed from an extruded aluminum billet which is machined to the desired shape.

9. (Original) The chassis of Claim 5, wherein said chassis has flush-mounted, rockerable axle holes.

10. (Original) The chassis of Claim 5, wherein said lower portions have at least one horizontally elongated opening formed therein to reduce weight and excess material.

11. (Original) The chassis of Claim 5, wherein said lower portions have at least one rib formed thereon.

12. (Original) The chassis of Claim 5, wherein said web members have at least one chamfered edge adjacent to said skate wheels so as to accommodate closer spacing between said skate wheels.

13. (Previously Amended) A roller skate chassis assembly for attachment to a skate boot, the chassis assembly comprising:

a forefoot section and a heel section;

a pair of laterally spaced longitudinal support members spanning the forefoot and heel sections of the chassis, each support member having a substantially planar lower

portion, the lower portions being parallel to each other and adapted to receive a plurality of skate wheels therebetween;

one or more web members extending between and attached to the lower portions of the support members, the web member positioned so as to be between successive wheels;

an upper portion in the forefoot section of each support member, the upper portion extending upwardly from the lower portion and having an upper edge, and a mounting flange extends from each upper edge, the mounting flange having at least one mount hole; and

an upper portion in the heel section of each support member, the upper portion extending upwardly from the lower portion and having an upper edge, and a mounting flange extends from each upper edge, the mounting flange having at least one mount hole;

wherein in at least one of the heel and forefoot sections, the upper portions lie in substantially convergent planes in an upwardly extending direction above said one or more web members.

14. Cancelled

15. Cancelled

16. (Previously Added) The chassis of Claim 13, wherein the chassis has an extruded unibody construction.

17. (Previously Added) The chassis of Claim 13, wherein the support members are formed separately from one another.

18. (Previously Added) The chassis of Claim 13, wherein each mounting flange extends from its respective upper edge in a direction away from the opposing upper portion.

19. (Previously Added) The chassis of Claim 13, wherein the upper portions in the heel section of the chassis lie in substantially convergent planes in an upwardly extending direction.

20. (Previously Added) The chassis of Claim 13, wherein the upper portions in the forefoot section of the chassis lie in substantially convergent planes in an upwardly extending direction.

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21. (Previously Amended) The chassis assembly of Claim 17, wherein the support members and one or more web member are integrally attached to one another.

22. (Previously Amended) A roller skate chassis assembly for attachment of a plurality of skate wheels, said chassis assembly comprising:

an elongate left chassis member and an elongate right chassis member, each chassis member having a front region, a back region, and a substantially planar lower portion extending through the front and back regions, the left and right chassis members being spaced apart from each other and arranged so that the left and right lower portions lie in substantially parallel planes, the lower portions being adapted so that a plurality of skate wheels are supported therebetween;

one or more web members extending between the left and right chassis members and adapted so that the chassis members and one or more web members are integrally attached to one another;

each chassis member having a substantially planar upper portion in the front region and a substantially planar upper portion in the back region, the upper portions being positioned substantially above the one or more web members;

a forefoot mount defined above the front upper portions in the front regions of the left and right chassis members, the forefoot mount being adapted to accomodate attachment of a forefoot portion of a skate boot sole; and

a heel mount defined above the back upper portions in the back regions of the left and right chassis members, the heel mount being adapted to accomodate attachment of a heel portion of a skate boot sole;

wherein at least one of the upper portions of each of the chassis members lies in a plane that is inclined relative to the adjacent planar lower portion and is convergent in an upward direction with the corresponding planar upper portion of the spaced apart chassis member.

23. (Previously Added) The chassis assembly of Claim 22, wherein the upper portions in the back regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis assembly forms

substantially an A-frame when viewed in cross section at the back regions of the chassis members.

24. (Previously Added) The chassis assembly of Claim 22, wherein the upper portions in the front regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis assembly forms substantially an A-frame when viewed in cross section at the front regions of the chassis members.

25. (Previously Added) The chassis assembly of Claim 22, wherein the chassis assembly has unitary, extruded construction.

26. (Previously Amended) The chassis assembly of Claim 22, wherein the left chassis member, right chassis member and one or more web member are formed separately from one another.

27. (Previously Amended) The chassis assembly of Claim 26, wherein the chassis members are welded to the one or more web member.

28. (Previously Added) The chassis assembly of Claim 22, wherein at least one of the upper portions of each of the chassis members lies in a plane that is inclined between about 60° - 88° relative to the plane of the lower portion.

29. (Previously Added) A method of making a roller skate chassis, comprising:

forming an elongate left chassis member and an elongate right chassis member, each chassis member having a front region, a back region, a substantially planar lower portion extending through the front and back regions, a substantially planar upper portion in the front region, and a substantially planar upper portion in the back region, at least one of the upper portions of each chassis member being angled relative to the respective lower portion, a forefoot mount portion defined above the front upper portions of the left and right chassis members, each forefoot mount being adapted to accomodate attachment of a forefoot portion of a skate boot sole, and a heel mount portion defined above the back upper portions of the left and right chassis members, each heel mount being adapted to accomodate attachment of a heel portion of a skate boot sole;

forming at least one cross member; and

arranging the at least one cross member between the left and right chassis members so that the at least one cross member extends between the left and right chassis members, the chassis members are spaced apart from one another, the upper portions of the chassis members are positioned substantially above the at least one cross member, and at least one of the upper portions of each of the chassis members lies in a plane that is inclined relative to the adjacent planar lower portion and is convergent in an upward direction with the corresponding planar upper portion of the spaced apart chassis member.

30. (Previously Added) The method of Claim 29, wherein the left chassis member, right chassis member and cross member are formed separately.

31. (Previously Added) The method of Claim 30, wherein the left and right chassis members are welded to the cross member.

32. (Previously Added) The method of Claim 29, wherein forming comprises extruding a billet of material and machining the extruded billet.

33. (Previously Added) The method of Claim 32, wherein the chassis has a unibody construction.

34. (Previously Added) The method of Claim 29, wherein the upper portions in the back regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis forms substantially an A-frame when viewed in cross section at the back regions of the chassis members.

35. (Previously Added) The method of Claim 29, wherein the upper portions in the front regions of each of the left and right chassis members lie in planes that are inclined relative to their corresponding lower portions, such that said chassis forms substantially an A-frame when viewed in cross section at the front regions of the chassis members.

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COMMENTS

In response to the Office Action mailed April 3, 2003, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. Only Claims 1 and 5 have been amended herein.

Applicants would like to thank Examiner Fischmann for working with Applicants' attorney, Glen Nuttall, in March, 2003 in discussing various issues in connection with this application.

Supplemental Declaration Has Been Filed

The Examiner noted that a Supplemental Declaration was required prior to allowance of the application. An appropriate Supplemental Declaration signed by the inventors has been filed. Accordingly, this requirement has been satisfied.

Examiner's Objection to Claims is Resolved

The Examiner objected to Claims 1-4 because of various issues in connection with Claim 1. Claim 1 has been amended in the same manner as the proposed amendment submitted by Applicants' attorney, Glen Nuttall, in connection with earlier discussions with the Examiner. The Examiner indicated that this amendment would overcome the claim objections. As such, the Examiner's objections to these claims are believed to be overcome.

The Examiner objected to Claims 5-12 because on line 14 of claim 5, the word "member" should be plural. The above amendment to Claim 5 corrects this error, as well as another typographical error in the first line of the claim. Applicants believe the Examiner's objections to these claims are overcome.

Examiner's Objection to Disclosure

The Examiner objected to the disclosure because of perceived inconsistencies in nomenclature. Specifically, the Examiner stated, "[t]he last two lines of page 2 recites 'lateral sections 36, 37'. Lines 7 and 21 of page 3 recites 'web sections 36-38'."

Applicants believe that the nomenclature, when taken in context, is consistent. For example, the last two lines of page 2 read ". . . a web having lateral sections 36, 37 . . . ." In this phrase, "lateral sections" modifies "web". Thus, the lateral sections are part of the web, and can appropriately be considered "web sections". As such, Applicants contend that referring to "web sections" on page 3 is consistent with the nomenclature used on page 2.

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All Pending Claims Are In Condition For Allowance

The Examiner rejected Claims 5-8, 10-13 and 16-35 under 35 U.S.C. § 103(a) as unpatentable over the H-200 Design Drawing in view of U.S. Patent No. D362,893 to Osborne and the CCM 1997 Roller Hockey Pricelist. The Examiner noted that the Pricelist has an effective date of 7/1/1996 printed thereon, and that the Pricelist refers to a product that allegedly has a chassis as depicted in the H-200 Design Drawing. Applicants do not admit that the Pricelist was published on 7/1/1996. However, in order to clearly remove the Pricelist and the H-200 Design Drawing as prior art, Applicants have filed a Declaration under 37 C.F.R. § 1.131 signed by the inventors. As such, the Pricelist and associated H-200 Design Drawing are appropriately removed from consideration as prior art, and Applicants respectfully request the Examiner to remove the claim rejection.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections and objections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sep 4, 03

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